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Mikio Watanabe

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MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER

DIEP, TRUNG T

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/608,093	Applicant(s) WATANABE ET AL.	
	Examiner TRUNG DIEP	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/04/2009 has been entered.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Response to Arguments

3. Applicant's arguments filed on 05/04/2009 have been fully considered but are moot in view of the new ground of rejection.

4. The following is summarized of the Applicant's arguments and followed with responses by the Examiner:

- **The Applicant argues (for claims 1 and 11):**

- a. On page 5 of the Applicant's response to the Office action and as it refers to independent claims 1 and 11, "The wireless transceiver 18 and the

antenna 20, disclosed in Squilla, sends a variety of information, as mentioned above, to the camera, but they **do not send photography instruction information that indicates a subject to be photographed.**

b. On page 5 of the Applicant's response to the Office action and as it refers to independent claims 1 and 11, **"Squilla does not teach or suggest an input unit configured to receive image data obtained by the imaging apparatus or the exchange of the image data."**

c. On page 5 of the Applicant's response to the Office action and as it refers to independent claims 1 and 11, **"Squilla does not teach or suggest storing the image data in the memory unit 16."**

- In response, the examiner **understands** the applicant's arguments but respectfully **disagrees** for the following reasons:

a. It's clearly disclosed *in Squilla et al., figure 1, Col. 4, lines 47 – 51* that ***"The personality data is transferred through the transceiver section 30 to the image spot 10, and integrates with the content data base 12 to determine the desired content for the particular captured image."*** and further disclosed in Col. 5, lines 29-34 ***"In typical usage of the system, the user actuates a capture release in the user interface 31, the respective***

camera captures the selected image, the personality data is communicated back to the image spot 10, and content data that correlates with the personality is communicated back to the camera. As such, it's clearly understood that the information in the content database transmitted to the digital camera 24 from the image spot 10 would include a subject to be photographed since the content database contains a variety of information (i.e., correlated data) about the feature that qualifies as an image spot.

b. It's clearly teaches *figures 1- 5, Col. 2, lines 26-62, "a remote monitoring system including mobile video phones each has a camera unit and can transmit a still or moving picture, from mobile phone 16 to a camera mounted on the dynamic support 22, for long-distance distance communication through a wireless Internet 14."* Thus, Squilla in view of Lim, the captured images can be attached and/or transmitted along with the photography instruction information.

c. It's clearly disclosed in Squilla, figure 1, *Col. 3, lines 63-66, "The image spot 10 is a stand-alone unit which includes a content database 12 for storing digital data, controlled with a PC 14 which contains a memory unit 16."* Thus, the contain database 12 of the image spot 10 is treated as the storage unit for storing the digital image data.

It's to note that same responses are also applied to the Applicant's arguments regarding claim 8.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1- 4, 7- 9, 11, and 14 -19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squilla et al. (US 6,919,920 B2) in view of Lim et al. (US 6,956,599 B2).

As to claim 1, *Squilla discloses in figures 1-7, an image management apparatus (i.e., an imaging spot 10, figure 1, Col. 3, lines 53-60) comprising:*

a photography instruction information storage memory (content database 12, fig. 1) configured to store photography instruction information that indicates a subject to be photographed (i.e., the content database contains variety information about the feature that qualifies as an image spot. Thus, content database includes the photography instruction information) (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5);

an input unit (wireless transceiver 18 and antenna 20, fig. 1) configured to receive an input of image data obtained by the imaging apparatus according to the photography instruction information (i.e., the photographed image exchange is taken via wireless link 60) (see figure 1, Col. 4, lines 61-65); and

a storage memory (*content database 12, fig.1*) configured to store the image data (*i.e., for storing digital data, controlled with a PC. Thus, content database is considered as a storage memory*) (*see figure 1, Col. 3, lines 62-66*);

a communications interface (*wireless transceiver 18 and antenna 20, fig. 1*) configured to send the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network (*i.e., the wireless communication subsystem includes wireless transceiver 18 interchanging signals with an antenna 20 and telecommunication processor for wirelessly transmitting photography instruction to the digital camera 24*) (*see figure 1, Col. 3, line 66 to Col. 4, line 2, and Col.8, lines 5-8*);

Squilla **does not explicitly disclose** a communications interface configured to send the photographed image data, to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network.

However, Lim *teaches in figures 1-5, Col. 2, lines 26-62*, a remote monitoring system including mobile video phones each has a camera unit and can transmit a still or moving picture, from mobile phone 16 to a camera mounted on the dynamic support 22, for long-distance distance communication through a wireless Internet 14.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Lim so that captured images can be sent along with the photography instruction information.

With regard to claim 2, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the input unit is configured to receive the input of the image data sent from the imaging apparatus via the wireless communication network (*see figure 1, Col. 4, lines 61-65, wherein the wireless communication subsystem includes wireless transceiver¹⁸ interchanging signals with an antenna 20 and telecommunication processor for communicating with digital camera 24 which their combined functionalities are functioned as the input unit, and the photographed image data exchange is taken placed between the camera and image spot via wireless link 60*).

With regard to claim 3, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the communication control unit configured to compare means for comparing the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface such that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the storage memory does not have the image data corresponding to the photography instruction information (*see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16, wherein the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, an*

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the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus).

With regard to claim 4, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the photography instruction information includes at least position information representing a position of the subject (*see Col. 7, lines 47-67 and Col. 8, lines 1-9, wherein the content databases in the image spot 10 includes global positioning (GPS) data*).

With regard to claim 7, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the wireless communication network refers to one of a wireless local area network (LAN) communication network, or a cellular phone network, and a short range wireless communication network (*see figure 1, Col. 4, lines 61-65, wherein the photographed image exchange is taken placed between the camera and image spot via wireless link 60*) .

As to claim 8, Squilla discloses in figures 1-7, an imaging apparatus (*i.e., photographic system including a camera that is capable of interactive data communication with sources of digital data associated with one or more scenes*) (*see Col. 1, lines 13-16*) comprising:

an imaging unit (*CCD 44, fig. 1*) configured to obtain image data representing a subject by photography of the subject (*i.e., the image sensor which generates an image signal from the captured image*) (*see figure 1, Col. 4, lines 33-35*);

a receptor (transceiver 30, *fig. 1*) configured to receive the photography instruction information from an image management apparatus (*i.e., the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60*) (*see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34*);

a monitor (*LCD screen 50, fig. 1*) configured to display information including the photography instruction information (*i.e., the photographed data and content information can be displayed*) (*see figures 1 and 5, Col. 5, lines 10-12 and Col. 9, lines 5-7*); and

a storage memory (*content database 12, fig.1*) configured to store the image data obtained by the imaging means according to the photography instruction information (*i.e., for storing digital data, controlled with a PC. Thus, content database is considered as a storage memory*) (*see figure 1, Col. 3, lines 62-66*);

wherein the image management apparatus comprises a photography instruction information storage memory (*content database 12, fig. 1*) configured to store photography instruction information that indicates a subject to be photographed, (*i.e., the content database contents variety information about the feature that qualifies as an image spot*) (*see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5*);

an input unit (*wireless transceiver18 and antenna 20, fig. 1*) configured to receive an input of image data obtained by the imaging apparatus according to the photography

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instruction information (*i.e., the photographed image exchange is taken placed between the camera and image spot via wireless link 60*) (see figure 1, Col. 4, lines 61-65); and a communications interface (*wireless transceiver18 and antenna 20, fig. 1*) configured to send the photography instruction information to the imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network (*i.e., the wireless communication subsystem includes wireless transceiver18 interchanging signals with an antenna 20 and telecommunication processor for wirelessly transmitting photography instruction to the digital camera*) (see figure 1, Col. 3, lines 66-67 and Col. 4, lines 1-2).

Squilla **does not explicitly disclose** a communications interface configured to send the photographed image data, to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network.

However, *Lim teaches in figures 1-5, Col. 2, lines 26-62*, a remote monitoring system including mobile video phones each has a camera unit and can transmit a still or moving picture, from mobile phone 16 to a camera mounted on the dynamic support 22, for long-distance distance communication through a wireless Internet 14.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Lim so that photographed images can be sent along with the photography instruction information.

With regard to claim 9, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the transmitter configured to send the image data stored in the storage memory to the image management apparatus via the wireless communication network (*i.e., the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60*) (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34).

As to claim 11, Squilla discloses in figures 1-7, an image storage management system (*i.e., photographic system including a camera that is capable of interactive data communication with sources of digital data associated with one or more scenes*) (Col. 1, lines 13-16) comprising: an image management apparatus (*i.e., imaging spot 10*) (see figure 1, Col. 3, lines 53-60) comprising:

a photography instruction information storage memory (*content database 12, fig. 1*) configured to store photography instruction information that indicates a subject to be photographed (*i.e., the content database contents variety information about the feature that qualifies as an image spot*) (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5);

an input unit (*wireless transceiver 18 and antenna 20, fig. 1*) configured to receive an input of image data obtained by the imaging apparatus according to the photography instruction information (*i.e., the photographed image exchange is taken placed between the camera and image spot via the wireless link 60*) (see figure 1, Col. 4, lines 61-65);

a storage memory (*content database 12, fig. 1*) configured to store the image data obtained by the imaging means according to the photography instruction information

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configured to store the image data (*i.e., for storing digital data, controlled with a PC.*

Thus, content database is considered as a storage memory) (see figure 1, Col. 3, lines 62-66); and **at least one** imaging apparatus (*i.e., digital camera 24*) (see figure 1, Col. 4, lines 61-65) comprising:

an imaging unit (CCD 44, fig. 1) configured to obtain image data representing a subject by photography of the subject (*i.e., the image sensor which generates an image signal from the captured image*) (see figure 1, Col. 4, lines 33-35);

a receptor (*transceiver 30, fig. 1*) configured to receive the photography instruction information from the image management apparatus (*i.e., the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60*) (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34);

a monitor (*LCD screen 50, fig. 1*) configured to display information including the photography instruction information (see figures 1 and 5, Col. 5, lines 10-12 and Col. 9, lines 5-7, wherein the photographed data and content information can be displayed); a storage memory (*memory 48, fig. 1*) configured to store means the image data obtained by the imaging means according to the photography instruction information (*i.e., the captured image and selected content associated with the image are stored in the recording memory 48*) (see figure 1, Col. 5, lines 25-29); and

a communications interface (*wireless transceiver18 and antenna 20, fig. 1*) configured to send the photography instruction information to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network (*i.e., the wireless communication subsystem includes*

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wireless transceiver 18 interchanging signals with an antenna 20 and telecommunication processor for wirelessly transmitting photography instruction to the digital camera 24,) (see figure 1, Col. 3, lines 66-67 and Col. 4, lines 1-2);

Squilla **does not explicitly disclose** a communications interface configured to send the photographed image data, to an imaging apparatus via a wireless communication network and for receiving information transmitted via the wireless communication network.

However, Lim *teaches in figures 1-5, Col. 2, lines 26-62*, a remote monitoring system including mobile video phones each has a camera unit and can transmit a still or moving picture, from mobile phone 16 to a camera mounted on the dynamic support 22, for long-distance distance communication through a wireless Internet 14.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Lim so that captured images can be transmitted along with the photography instruction information.

With regard to claim 14, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the photography instruction information includes a plurality of subjects to be photographed (*i.e., the spots would include accessible viewing points, sport sites, and national park system sites*) (see figure 1, Col. 3, lines 57-63).

With regard to claim 15, Squilla in view of Lim discloses all basic limitations as discussed in claim 8. Squilla further discloses the photography instruction information includes a plurality of subjects to be photographed (*see figure 1, Col. 3, lines 57-63, wherein the spots would include accessible viewing points, sport sites, and national park system sites*).

With regard to claim 16, Squilla in view of Lim discloses all basic limitations as discussed in claim 11. Squilla further discloses the photography instruction information includes a plurality of subjects to be photographed (*i.e., the spots would include accessible viewing points, sport sites, and national park system sites*) (*see figure 1, Col. 3, lines 57-63*).

With regard to claim 17, Squilla in view of Lim discloses all basic limitations as discussed in claim 11. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface so that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the storage memory does not have the image data corresponding to the photography instruction information (*i.e., the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing*

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the extra services requested, an the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus) (see figures 2, 4, and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16).

With regard to claim 18, Squilla in view of Lim discloses all basic limitations as discussed in claim 8. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface such that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the storage memory does not have the image data corresponding to the photography instruction information (*i.e., the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, an the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus) (see figures 2, 4, and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16).*

With regard to claim 19, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the image management apparatus

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further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory, and for controlling the communications interface such that the photography instruction information corresponding to the image data is sent again to the imaging apparatus in the case where the image data does not meet a predetermined level of quality (*i.e., the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, and the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus*) (see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16).

7. Claims 5, 10, 20 and 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Squilla et al. (US 6,919,920 B2) in view of Lim et al. (US 6,956,599 B2) as applied to claims 3, 9, 8, and 11, and further in view of Hull et al. (US 5,806,005).

With regard to claim 5, Squilla in view of Lim discloses all basic limitations as discussed in claim 3. Squilla further discloses the communication control unit is configured to control the communication unit so as to send to the imaging apparatus the photography instruction information corresponding to the position of the imaging apparatus (*i.e., the digital image is exchanged between the digital camera 24 and the*

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image spot 10 via wireless link 60) (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34).

Both Squilla and Lim **do not explicitly disclose** a position detector configured to a position of the imaging apparatus.

However, *Hull teaches and discloses in figure 1, Col. 1 line 65 to Col. 2, line 62, an improved portable image transfer system which includes a digital camera capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. If the location information is to be included with each captured image, a GPS receiver can be coupled to the CPU.*

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Hull so that the position information can be included with the captured image.

With regard to claim 10, Squilla in view of Lim discloses all basic limitations as discussed in claim 9. Squilla further discloses a transmitter controller configured to control transmission control means for controlling the transmitter so as transmission means to send the position information to the image management apparatus (*i.e., the digital image is exchanged between the digital camera 24 and the image spot 10 via wireless link 60) (see figure 1, Col. 4, lines 47-51 and Col. 5, lines 29-34).*

Both Squilla and Lim **do not explicitly disclose** a position detector configured to obtain position information representing a position of an imaging apparatus.

However, As taught by Hull and disclosed in *figure 1, Col. 1 line 65 to Col. 2, line 62*, wherein an improved portable image transfer system which includes a digital camera capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. If the location information is to be included with each captured image, a GPS receiver can be coupled to the CPU.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to modify the Squilla device by incorporating the method as taught by Hull so the position information can be included with the captured image.

With regard to claim 20, Squilla in view of Lim discloses all basic limitations as discussed in claim 8. Squilla further discloses the communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory (*i.e., the received image data is reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, an the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus*) (see *figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16*).

Both Squilla and Lim do not explicitly disclose the communications interface controls, such that the photography instruction information corresponding to, the image data is sent again to the imaging apparatus in the case where the image data does not meet a predetermined level of quality.

However, *Hull teaches and discloses in figure 1, Col. 3, lines 34-54*, the portable image transfer system which includes a digital camera capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. The captured image can be sent to the server for analyzing/processing with the server interactively responding with requests for additional images, and the server would process the captured images to determine if a good stereo image can be created.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Hull so that the quality of the captured images would be improved along with the money and time saving since the photographer would not have to make multiple trips between the remote station and the server station.

With regard to claim 21, Squilla in view of Lim discloses all basic limitations as discussed in claim 11. Squilla further discloses the image management apparatus further comprises a communication control unit configured to compare the image data stored in the storage memory with the photography instruction information stored in the photography instruction information storage memory (*i.e., the received image data is*

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reviewed against the data stored in the personality file which the result determines what extra data is to be used in performing the extra services requested, an the extra data or content may be reviewed on the LCD of the camera. Thus, the combined functionalities of the image spot 10 and server 70 functions as the image management apparatus) (see figures 2 and 5, Col. 8, lines 51-67 and Col. 9, lines 1-16).

Both Squilla and Lim do not disclose the communications interface controls, such that the photography instruction information corresponding to, the image data is sent again to the imaging apparatus in the case where the image data does not meet a predetermined level of quality.

However, *Hull teaches and discloses in figure 1, Col. 3, lines 34-54*, the portable image transfer system which includes a digital camera capturing image in digital form and stores in the memory, a cellular telephone transmitter, controlled by the CPU, transmits the data received from the camera memory. The captured image can be sent to the server for analyzing/processing with the server interactively responding with requests for additional images, and the server would process the captured images to determine if a good stereo image can be created.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Hull so that the quality of the captured images would be improved along with the money and time saving since the photographer would not have to make multiple trips between the remote station and the server station.

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8. Claims 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squilla et al. (US 6,919,920 B2) in view of Lim et al. (US 6,956,599 B2) as applied to claims 1, 8, and 11, and further in view of Coverdale et al. (US 6,373,842 B1).

With regard to claim 6, Squilla in view of Lim discloses all basic limitations as discussed in claim 1. Squilla further discloses the photography instruction information includes a photography process representing the type of the subject to be photographed (*i.e., the content database contains variety information about the feature that qualifies as an image spot*) (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5).

Both Squilla and Lim **do not explicitly teach** a deadline for obtaining the image data.

However, Coverdale teaches and discloses in figures 2-7, Col. 5, line 29 to Col. 6, line 41, the requested images data from a wireless terminal 140 can be delivered by a voice mail server 110 via the wireless network 120. Coverdale further teaches the processing method for requesting images data and the deadline imposed on *i.e., if the retransmitted frame arrives prior to the time that frame needs to be delivered, the corrupted frame is replaced by the retransmitted frame, and if the retransmitted frame is not received prior to the time that frame needs to be delivered, the corrupted frame is reconstructed. Any retransmitted frame which arrives too late is discarded.*

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Coverdale so

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that the photographer would be able to effectively plan his schedule for the day without wasting valuable time.

With regard to claim 12, Squilla in view of Lim discloses all basic limitations as discussed in claim 8. Squilla further discloses the photography instruction information includes a photography process representing the type of the subject to be photographed (*i.e., the content database contents variety information about the feature that qualifies as an image spot*) (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5).

Both Squilla and Lim do not explicitly disclose a deadline for obtaining the image data.

However, Coverdal discloses and discloses in figures 2-7, Col. 5, line 29 to Col. 6, line 41, the requested images data from a wireless terminal 140 can be delivered by a voice mail server 110 via the wireless network 120. Coverdale further teaches the processing method for requesting images data and the deadline imposed on *i.e.,* if the retransmitted frame arrives prior to the time that frame needs to be delivered, the corrupted frame is replaced by the retransmitted frame, and if the retransmitted frame is not received prior to the time that frame needs to be delivered, the corrupted frame is reconstructed. Any retransmitted frame which arrives too late is discarded.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Coverdale so that the photographer would be able to effectively plan his schedule for the day without wasting valuable time.

With regard to claim 13, Squilla in view of Lim discloses all basic limitations as discussed in claim 11. Squilla further discloses the photography instruction information includes a *(i.e., the content database contents variety information about the feature that qualifies as an image spot)* (see figure 1, Col. 3, lines 55-60 and Col. 4, lines 2-5) photography process representing the type of the subject to be photographed.

Both Squilla and Lim **do not explicitly** disclose a deadline for obtaining the image data.

However, Coverdal teaches and discloses in figures 2-7, Col. 5, line 29 to Col. 6, line 41, the requested images data from a wireless terminal 140 can be delivered by a voice mail server 110 via the wireless network 120. Coverdale further teaches the processing method for requesting images data and the deadline imposed on i.e., if the retransmitted frame arrives prior to the time that frame needs to be delivered, the corrupted frame is replaced by the retransmitted frame, and if the retransmitted frame is not received prior to the time that frame needs to be delivered, the corrupted frame is reconstructed. Any retransmitted frame which arrives too late is discarded.

Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art by incorporating the method as taught by Coverdale so that the photographer would be able to effectively plan his schedule for the day without wasting valuable time.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRUNG DIEP whose telephone number is (571)270-5088. The examiner can normally be reached on Mon.,- Thur., 8:00 am,-5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trung Diep/
Examiner, Art Unit 2622

/NHAN T TRAN/

Primary Examiner, Art Unit 2622